

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 CG-00 OFA-01 DLOS-04 SS-15

NSC-05 PA-01 PRS-01 USIA-06 L-03 H-02 /066 W

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R 041405Z AUG 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1892

INFO USMISSION USBERLIN

AMEMBASSY BERLIN

AMEMBASSY PARIS

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 12527

E.O. 11652: GDS

TAGS: PFOR, WB, GW, GE, FR, US, UK

SUBJECT: GDR INSTRUMENT OF ACCESSION TO IMCO

CONVENTION ON LOAD LINES

REF: BONN A-628, DECEMBER 31, 1974

1. UK BONN GROUP REP (CROMARTIE) HAS RAISED MATTER OF GDR ACCESSION TO 1966 INTERNATIONAL CONVENTION ON LOAD LINES. THE SECRETARY GENERAL OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION (IMCO) HAS CIRCULATED THE FOLLOWING STATEMENT WHICH ACCOMPANIED THE GDR INSTRUMENT OF ACCESSION, DATED 15 MAY 1975.

BEGIN TEXT: WITH REGARD TO THE APPLICATION TO BERLIN (WEST) OF THE CONVENTION THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC STATES IN ACCORDANCE WITH THE QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971 BETWEEN THE GOVERNMENTS OF THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN
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IRELAND, THE UNITED STATES OF AMERICA AND THE FRENCH

REPUBLIC THAT BERLIN (WEST) IS NO CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND MUST NOT BE GOVERNED BY IT. CONSEQUENTLY, THE STATEMENT OF THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY THAT THE CONVENTION APPLIES ALSO TO THE "LAND BERLIN" IS CONTRARY TO THE QUADRIPARTITE AGREEMENT AND CAN HAVE NO LEGAL EFFECT. END TEXT.

2. DRAWING ON THE LANGUAGE OF OMNIBUS REPLY CONTAINED IN CATEGORY II. L OF REPAIR, BONN GROUP ON JULY 31 REACHED AD REF AGREEMENT ON THE FOLLOWING REPLY:

BEGIN TEXT:

3. THE GOVERNMENT OF HAS THE HONOR TO REFER TO THE NOTE OF 23 MAY 1975 FROM THE SECRETARY GENERAL OF THE INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION ABOUT THE DEPOSIT OF AN INSTRUMENT OF ACCESSION BY THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC TO THE INTERNATIONAL CONVENTION ON LOAD LINES.

4 WITH REGARD TO THE FIRST STATEMENT BY THE GOVERNMENT OF THE GDR QUOTED IN THE ABOVE MENTIONED NOTE, THE GOVERNMENT OF . . . WISHES TO POINT OUT THAT THE GERMAN DEMOCRATIC REPUBLIC IS NOT A PARTY TO THE QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971 WHICH WAS CONCLUDED IN BERLIN BY THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND OF THE UNITED STATES OF AMERICA, AND IS NOT THEREFORE COMPETENT TO COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

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----- 068714

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 12527

5 THE QUADRIpartite AGREEMENT DOES NOT IMPOSE ANY REQUIREMENT REGARDING TERMINOLOGY TO BE USED BY THE FEDERAL REPUBLIC OF GERMANY WHEN EXTENDING TO THE WESTERN SECTORS OF BERLIN TREATIES OR AGREEMENTS TO WHICH IT HAS BECOME A PARTY NOR, OF COURSE, DOES THE AGREEMENT AFFECT TERMINOLOGY USED IN THE PAST. IN ANY CASE THE USE BY THE FEDERAL REPUBLIC OF GERMANY OF THE TERMINOLOGY MENTIONED IN THE NOTES UNDER REFERENCE CAN IN NO WAY AFFECT QUADRIpartite AGREEMENTS OR DECISIONS RELATING TO BERLIN.

6. . CONSEQUENTLY THE VALIDITY OF THE BERLIN DECLARATION MADE BY THE FEDERAL REPUBLIC OF GERMANY IS UNAFFECTED BY THE USE OF THIS TERMINOLOGY.

7. THE GOVERNMENT OF DOES NOT CONSIDER IT NECESSARY, TO RESPOND TO ANY FURTHER COMMUNICATIONS OF CONFIDENTIAL

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A SIMILAR NATURE BY STATES WHICH ARE NOT SIGNATORIES TO THE QUADRIpartite AGREEMENT. THIS SHOULD NOT BE TAKEN TO IMPLY ANY CHANGE IN THE POSITION OF THE GOVERNMENT IN THIS MATTER.

8.. THE GOVERNMENT OF WOULD BE GRATEFUL IF THE SECRETARY GENERAL COULD ENSURE THE DISTRIBUTION OF THIS COMMUNICATION TO THE GOVERNMENTS OF ALL STATES WHICH HAVE ACCEDED TO THE IMCO. END TEXT.

9. AS IMCO IS LOCATED IN LONDON, UK REPS WILL SEEK VIEWS OF FCO AS TO WHICH OF THE ALLIES SHOULD REPLY TO THE NOTE FROM THE IMCO SEC GEN AND WHERE IT SHOULD BE

DONE.

10. .. ACTION REQUESTED: DEPARTMENT'S CONCURRENCE IN
AD REF REPLY ABOVE.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOREIGN RELATIONS, MEMBERSHIP, ECONOMIC INTEGRATION, INTERNATIONAL ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BONN12527
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750268-0722
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750882/aaaacuzh.tel
Line Count: 174
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 74 BONN A-628
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 21 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 APR 2003 by CunninFX>; APPROVED <22 APR 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GDR INSTRUMENT OF ACCESSION TO IMCO CONVENTION ON LOAD LINES
TAGS: PFOR, WB, GE, GC, FR, US, UK, IMCO
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006